

# CARY KANE

A LIMITED LIABILITY PARTNERSHIP FOR THE PRACTICE OF LAW

1350 Broadway - Suite 1400  
New York, NY 10018

January 1, 2018

ALL CITY EMPLOYEES

Victor Palaguachi

39-50 60th Street

Woodside, NY 11377

Re: ALL CITY EMPLOYEES - Post  
Settlement Motions

Dear ALL CITY EMPLOYEES:

Enclosed is your invoice which covers services from to . Please note that your Total Balance Due, including past charges, is \$35925.00. Please remit payment within ten days.

## Billing Summary

Total for services rendered	\$35,450.00
Total expenses	\$475.00
Total payments	\$0.00
Total credits	\$0.00
Total previous balance	\$0.00

<b>Total Balance Due</b>	<b>\$35,925.00</b>
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Encl.

**CARY KANE**

A LIMITED LIABILITY PARTNERSHIP FOR THE PRACTICE OF LAW

1350 Broadway - Suite 1400  
New York, NY 10018**(347) 304 4339****FAX:**

EIN: 20-1942442

**ALL CITY EMPLOYEES**Victor Palaguachi  
39-50 60th Street  
Woodside, NY 11377

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January 1, 2018

Invoice #: 16872

For Professional Services Rendered

ALL CITY EMPLOYEES - Post Settlement Motions

		<u>Hours</u>	<u>Amount</u>
10/27/2017	TJ Review email correspondence from court re: stip of dismissal, review agmt; review email correspondence between counsel	0.50	162.50
10/30/2017	AC Calls and emails with opposing counsel re new allegation from All City that it has a counterclaim against Juan Correa. Call with Juan and meetings with TJ and LC re same. Email response to Judge Torres's law clerk re stipulation of dismissal and status of settlement, in light of new allegation against Correa.	2.80	910.00
	LC Meet with A. Consiglio re: status. Telephone call with opposing counsel.	0.70	315.00
	TJ Confer w/ AC re: status of settlement; calling chambers, new loan issue; review email correspondence re: same	0.60	195.00
11/3/2017	AC Draft letter to court re violation of so-ordered agreement, and discuss with TJ. Email to opposing counsel re same.	1.30	422.50
11/6/2017	AC Re-draft letter to court re compelling payment to Juan Correa, and meeting with LC re same.	1.00	325.00
	TJ Confer w/ AC and LC re: withheld check, correspondence to court re: same.	0.20	65.00
11/7/2017	AC Finalize and send letter to court re Juan Correa missing payment.	0.50	162.50
11/15/2017	AC Read All City's opposition to motion and request to modify settlement agreement. Email re our argument to TJ & LC.	0.50	162.50

		<u>Hours</u>	<u>Amount</u>
11/15/2017	TJ Review defs' correspondence to court re: modifying settlement; confer w/ AC, LC, WK re: same	0.80	260.00
11/16/2017	AC Begin drafting response to defendant's motion. Discuss strategy with LC.	0.80	260.00
	TJ Review AC letter to Ct, revise same; confer w/ AC re: same; review court order, confer w/ AC and LC re: same	1.00	325.00
11/17/2017	AC Further early work on motion papers (1 hour). Meeting with Juan Correa re facts (2 hours). Meeting with LC re strategy on motion (.2 hour).	3.20	1,040.00
	LC Meet with A. Consiglio re: strategy and motion.	0.50	225.00
	JC Call with Juan Correa about situation with his check. Mr. Correa came to meet up with TC regarding a delay with his check. We had a meeting with him gathering old receipts and interviewing Mr. Correa, and I translated.	3.20	400.00
11/20/2017	AC Draft Consiglio declaration for motion to compel (procedural history and conduct of litigation). Couple of questions to Melissa Chan re facts.	3.70	1,202.50
11/21/2017	TJ Confer w/ AC re: motion to compel compliance w/ sett agmt	0.20	65.00
	AC Continue work on AC declaration for motion re settlement disclosures and communications and other facts. Review of file materials, including parsing of the spreadsheet calculations provided to defendants during discovery. Meeting with TJ re strategy on motion.	2.50	812.50
11/22/2017	AC Finish drafting my declaration for the motion, including further review of the file, analysis of dates, examination of spreadsheets, etc.	3.50	1,137.50
11/24/2017	AC Revise and add to my declaration in support of the motion (3.5 hours). Begin work on memo of law (preliminary statement, enforcement of agreement argument, and legal research re enforcement of agreement) (3.7 hours).	7.20	2,340.00
11/27/2017	TJ Confer w/ AC re: motion to compel compliance w/ agmt, defs' req for extension; review request and court's order; review/revise AC affidavit, brief; confer w/ AC re: same; confer w/ LC re: same	2.50	812.50
	AC Work on memo of law, including legal research on attorney fee applications and sanctions (4 hours). Meetings with TJ and LC re same (.5 hour). Calls with opposing counsel and chambers and meetings with TJ re All City's request for extension of time on motion (.5 hour). Additional work on Consiglio declaration (.7 hour).	5.70	1,852.50
11/28/2017	AC Revise TC declaration incorporating TJ's suggestions.	2.70	877.50
	TJ Confer w/ AC re: status of motion; legal research re: motions to compel enforcement of sett agmt; confer w/ AC re: same	1.20	390.00
11/29/2017	AC Finish revising TC declaration (2.2 hours). Begin revising memo of law (preliminary statement, contract enforcement) including legal research and close review of settlement agreement (2.7 hours).	4.90	1,592.50
11/30/2017	AC Finish reworking memo of law, including legal research.	3.70	1,202.50

		<u>Hours</u>	<u>Amount</u>
12/1/2017	LC Meet with A. Consiglio re: discussion of strategy on request for attorneys fees and Motion to Enforce Settlement.	0.20	90.00
	TJ Review motion papers; confer w/ AC and LC re: same	1.50	487.50
12/4/2017	AC Read moving papers on defendants' motion to modify settlement.	0.50	162.50
	TJ Review defs' motion papers; confer w/ AC and LC re: same	1.00	325.00
12/5/2017	AC Prepare first draft of Juan Correa's declaration from my notes and documents (1.8 hours); phone calls and coordination with Juan and translators re same (.4 hour). Begin drafting memo of law in opposition to defendants' motion, including preliminary statement, and research of two cases cited by defendants and distinguish those cases (.6 hour); meetings with TJ and LC re strategy on opposition (.3 hour).	3.10	1,007.50
	TJ Review defs' motion papers; confer w/ AC and LC re: affidavit, brief in opposition to defs' post-settlement motion	1.00	325.00
	LC Meet with A. Consiglio re: strategy to oppose defendants motion.	0.20	90.00
12/6/2017	AC Finish drafting memo of law in opposition (3.8 hours). Meeting with Juan Correa to review and edit his declaration, and examine documents (1.1 hours).	4.90	1,592.50
	JC One plaintiff whose check has not been released by All City came in for an interview. I translated the interview between TC and him. During this time, TC asked him questions about the propane gas purchases done for roofing jobs, method of payment and reimbursement to plaintiff. TC and the plaintiff went throw old receipts and paper work from All City. The plaintiff will gather additional papers from home if he has. Also, he will gather his old credit card statements.	1.20	150.00
12/7/2017	AC Revise and add to memo of law, including legal research, and discuss with TJ (3.4 hours). Revise Correa declaration based on last night's interview and discuss with TJ; arrange for revision of translation (1.3 hours).	4.70	1,527.50
	TJ Confer w/ AC re: post-settlement motion; review defs' brief; review/edit plaintiff declaration and brief; confer w/ AC re: same	2.00	650.00
12/8/2017	AC Final revisions to memo of law (1.6 hours). Meeting with Juan Correa to sign and review final version of declaration and exhibits (.2 hour).	1.80	585.00
12/14/2017	TJ Confer w/ PM, LC, AC re: status of second set of payments; review email correspondence from defs re: same; review sett agmt	0.50	162.50
12/15/2017	TJ Confer w/ AC, LC re: second installment of checks, potential response, notice to Court; review defs' email correspondence re: same; review agmt; review AC email correspondence to clients	1.00	325.00
	AC Draft email update to send to plaintiffs re delayed second installment of settlement checks. Discussions with TJ and LC re how to notify court of this further breach of the settlement agreement in delay of second installment.	0.60	195.00
12/16/2017	AC Prepare letter notifying Court of defendants' delay in making second installment settlement payments.	0.50	162.50

		<u>Hours</u>	<u>Amount</u>
12/16/2017	TJ Review draft correspondence to Court re: defs' failure to timely pay second installment of sett; confer w/ AC and LC re: same; review revised draft	0.60	195.00
12/17/2017	AC Revisions to letter to Court incorporating TJ's and LC's suggestions.	0.50	162.50
	TJ Review revised draft correspondence to court re: second check installment; confer w/ AC and LC re: same	0.40	130.00
12/18/2017	AC Send update to clients re delay in making second installment payment. Coordinate with JC re translation and responses.	0.60	195.00
	TJ Confer w/ AC and LC re: draft correspondence to Court re: second installment of checks; review Court order on post- settlement motions to enforce or modify settlement; confer w/ AC and LC re: same; review email correspondence to clients re: second installment; confer w/ AC re: same	2.00	650.00
	LC Meet with A. Consiglio and T. Jensen re: motion for judgment granted and review Order.	0.50	225.00
	JC One plaintiff whose check was delayed from All City called to ask if there was any update with his check. I told him the judge has not provide a resolution yet but we'll call him with any updates.	0.10	12.50
12/20/2017	TJ Confer w/ AC and LC re: fee petition	0.30	97.50
12/21/2017	AC Begin outlining issues to be addressed in our application for attorney fees.	0.30	97.50
	LC Meet with A. Consiglio re: strategy on application for attorneys fees.	0.30	135.00
12/22/2017	AC Begin work on application for attorney fees (notice of motion and introduction to my declaration re our enforcement efforts).	2.10	682.50
12/26/2017	AC Work on attorney fee application (sections on attempts to resolve without motion practice, reasonable efforts expended on plaintiffs' motion, and summaries of fees and exhibits).	4.70	1,527.50
12/27/2017	AC Continue work on my declaration for attorney fees application, including first draft of the remaining fact sections pertaining to timekeepers' experience and work, and including legal research re reasonable rates and various issues pertaining to factors courts must consider on reviewing application.	7.30	2,372.50
12/28/2017	AC Finish drafting my declaration (2.4 hours). Draft memo of law, incorporating sections from previous motion, and including further legal research (3.1 hours).	5.60	1,820.00
12/29/2017	AC Final revisions to attorney fees application, including further legal research on comparable hourly rates awarded by courts, and in light of LC's comments on papers.	4.00	1,300.00
	LC Review and revise draft of motion papers on attorney fees.	1.10	495.00
<b>Subtotal:</b>		<b>110.50</b>	<b>\$35,450.00</b>

## Additional Charges :

	<u>Amount</u>
12/5/2017 Certified Translation of Juan Correa Affidavit.	<u>475.00</u>
Total additional charges	\$475.00
 Total amount of this bill	 <u>\$35,925.00</u>
 Balance due	 <u><u>\$35,925.00</u></u>

12/29/2017  
1:26 PMCARY KANE  
Slip Summary Listing

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## Selection Criteria

Slip Classification	Open
Clie Selection	Include: ALL CITY EMPLOYEES - Post-Sett

Title	Amount	% Total	Time	% Total
<u>Timekeeper: Anthony Consiglio</u>				
Contingency				
Fees: Slip Value	27690.00	78.11%	85.20	77.10%
Costs: Slip Value	488.12	100.00%		
Total: Slip Value	28178.12	78.41%	85.20	77.10%
<hr/>				
Total: Anthony Consiglio				
Fees: Slip Value	27690.00	78.11%	85.20	77.10%
Costs: Slip Value	488.12	100.00%		
Total: Slip Value	28178.12	78.41%	85.20	77.10%
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<u>Timekeeper: Jessica Cabrera</u>				
Contingency				
Fees: Slip Value	562.50	1.59%	4.50	4.07%
Costs: Slip Value	0.00	0.00%		
Total: Slip Value	562.50	1.57%	4.50	4.07%
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Total: Jessica Cabrera				
Fees: Slip Value	562.50	1.59%	4.50	4.07%
Costs: Slip Value	0.00	0.00%		
Total: Slip Value	562.50	1.57%	4.50	4.07%
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<u>Timekeeper: Larry Cary</u>				
Contingency				
Fees: Slip Value	1575.00	4.44%	3.50	3.17%
Costs: Slip Value	0.00	0.00%		
Total: Slip Value	1575.00	4.38%	3.50	3.17%
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Total: Larry Cary				
Fees: Slip Value	1575.00	4.44%	3.50	3.17%
Costs: Slip Value	0.00	0.00%		
Total: Slip Value	1575.00	4.38%	3.50	3.17%
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<u>Timekeeper: Tara Jensen</u>				
Contingency				
Fees: Slip Value	5622.50	15.86%	17.30	15.66%
Costs: Slip Value	0.00	0.00%		
Total: Slip Value	5622.50	15.64%	17.30	15.66%
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Total: Tara Jensen				
Fees: Slip Value	5622.50	15.86%	17.30	15.66%
Costs: Slip Value	0.00	0.00%		
Total: Slip Value	5622.50	15.64%	17.30	15.66%

12/29/2017  
1:26 PM

CARY KANE  
Slip Summary Listing

Title	Amount	% Total	Time	% Total
Grand Total				
Fees: Slip Value	35450.00	100.00%	110.50	100.00%